

ASSEMBLY BILL

No. 1596

Introduced by Assembly Member Garcia

February 4, 2014

An act to amend Section 3006 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1596, as introduced, Garcia. Elections: vote by mail ballot applications.

Existing law requires that a printed application that is to be distributed to a voter for requesting a vote by mail voter's ballot include specified information. Existing law requires an individual, organization, or group that distributes applications for vote by mail ballots and receives completed application forms to return the forms to the appropriate elections official within 72 hours of receiving the forms.

This bill would require a printed vote by mail application that allows a voter to submit the application by mail to inform the voter of the address for the elections official and specify that address the only appropriate destination address for the application, as specified. The bill would provide that it not be construed as prohibiting an individual, organization, or group that distributes applications for vote by mail voter ballots from collecting or receiving applications from voters by means other than having applications mailed directly to the address of the distributing individual, organization, or group.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 3006 of the Elections Code is amended to read:

3006. (a) A printed application that is to be distributed to a voter for requesting a vote by mail voter's ballot shall inform the voter that the application for the vote by mail voter's ballot must be received by the elections official not later than seven days prior to the date of the election and shall contain spaces for the following:

(1) The printed name and residence address of the voter as it appears on the affidavit of registration.

(2) The address to which the ballot is to be mailed.

(3) The voter's signature.

(4) The name and date of the election for which the request is to be made.

(b) (1) The information required by paragraphs (1) and (4) of subdivision (a) may be preprinted on the application. The information required by paragraphs (2) and (3) of subdivision (a) shall be personally affixed by the voter.

(2) An address, as required by paragraph (2) of subdivision (a), may not be the address of a political party, a political campaign headquarters, or a candidate's residence. However, a candidate, his or her spouse, immediate family members, and any other voter who shares the same residence address as the candidate may request that a vote by mail ballot be mailed to the candidate's residence address.

(3) An application that contains preprinted information shall contain a conspicuously printed statement substantially similar to the following: "You have the legal right to mail or deliver this application directly to the local elections official of the county where you reside."

(4) *A printed vote by mail application that allows a voter to submit the application by mail shall inform the voter of the address for the elections official and specify that address as the only appropriate destination address for mailing the application. Nothing in this subdivision shall be construed to prohibit an individual, organization, or group that distributes applications for vote by mail voter ballots from collecting or receiving applications from voters, as described in Section 3008, by means*

1 *other than having the applications mailed directly to the address*
2 *of the distributing individual, organization, or group.*

3 (c) The application shall inform the voter that if he or she has
4 declined to disclose a preference for a political party, the voter
5 may request a vote by mail ballot for a particular political party
6 for the partisan primary election, if that political party has adopted
7 a party rule, duly noticed to the Secretary of State, authorizing that
8 vote. The application shall contain a toll-free telephone number,
9 established by the Secretary of State, that the voter may call to
10 access information regarding which political parties have adopted
11 such a rule. The application shall contain a checkoff box with a
12 conspicuously printed statement that reads substantially similar to
13 the following: “I have declined to disclose a preference for a
14 qualified political party. However, for this primary election only,
15 I request a vote by mail ballot for the _____ Party.” The name
16 of the political party shall be personally affixed by the voter.

17 (d) The application shall provide the voter with information
18 concerning the procedure for establishing permanent vote by mail
19 voter status, and the basis upon which permanent vote by mail
20 voter status is claimed.

21 (e) The application shall be attested to by the voter as to the
22 truth and correctness of its content, and shall be signed under
23 penalty of perjury.